

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lars BJÖRCK *et al.*

Title: METHOD FOR IDENTIFYING AN ANTI-STREPTOCOCCAL
AGENT AND ITS USE FOR TREATING STREPTOCOCCAL
INFECTIONS

Appl. No.: 10/553,904

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Examiner: Oluwatosin A. OGUNBIYI

Art Unit: 1645

Confirmation Number: 7961

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed October 15, 2008, Applicants hereby elect Group I, Claims 29 to 37, for examination on the merits. This election is made with traverse, because Applicants respectfully believe that Claims 41, 46 and 47 (Groups III and V) should be rejoined with claims 29-37 (Group I) and examined together.

Claims 41 and 46 have been placed in Group III, drawn to streptococcal inhibitor identified by the method of Group I. Claim 47 has been placed in Group V drawn to a method of making a pharmaceutical formulation with the streptococcal inhibitor identified by the method of Group I. Not only are Groups III and V related to Group I, but claims 41, 46 and 47 all depend from claim 29, and therefore contain all of the limitations of Group I. Any

art relevant to the examination of Group I should be relevant to examination of claims 41, 46 and 47, and so there is no undue burden.

Accordingly, Applicants respectfully request reconsideration of the restriction requirement/unity of invention requirement, and seek rejoinder of claims 41, 46 and 47 with Group I, claims 29-37.

Applicants reserve the right to file a divisional application to pursue the non-elected claims.

The Commissioner is hereby authorized to credit any overpayment, or charge any additional fees required under 37 C.F.R. §§ 1.16-1.17, to Deposit Account No. 19-0741. Missing, improper, or incorrect fees should also be charged to the Deposit Account. If any additional extensions of time are needed, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment from the Deposit Account.

Respectfully submitted,

Date April 9, 2009

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